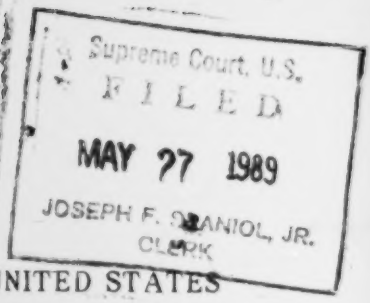
89-486



IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1989

ABEL H. HERNANDEZ

V.

DONALD B. RISE

SECRETARY OF THE AIR FORCE

PETITION FOR A WRIT CERTIORARI

TO THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

PETITIONER (AS DEFENDANT)

ABEL H. HERNANDEZ

406 "H" STREET

SAN ANTONIO, TEXAS 78220

(512) 333-1600

41pp

Question for presented for review petition for reverse and remand for Hearing . on Melin W. Cole V. General Howard W. penny .The court of Appeals was not force by Circuit precedent to affirm with lower Court .

STATUTE

42 U.S.C. § 2000e-16(c) page 3

42 U.S.C.§ 2000e-5 page 5

2000e-4(e) page 12

AUTHORITIES

MELIN W. COLE V. GENERAL HOWARD W. PENNY 531 F.2d-609 page 4

APPENDIX A 1A

APPENDIX B 13B

APPENDIX C 14C

Did the Fifth Circuit Court err in refusing to reverse and remand District Court Judge Edward C. Prado E.X. Agency legal advisor as EX. U.S. Attorney . When Judge Prado concur with U.S. Attorney ,HELEN MILBURN EVERBURERG and JACK B. MOYNYHAN assistance U.S. Attorney ,with the legal advise of the Air Force counsel David C. Divon, Major Trial Attorney(investigator Attorney). General Litigation,Division office of the Juudge Advocate General 1900 Haft Street,S.W.,Room 5142 Washington, D.C. 20324-1000 telephone (202) 475-2755 FTS 475-2755 . When they agreed with Judge Prado's dismissal of my title VII Employment rights .

In the instructions to file a title VII E.E.O.C. complaint reciev-

ed February 18,1988 . Sent to me by the Director of the Dept. of the Equal Employment Opportunity system within the Air Force . Stella Guerra (Hispanic) from San Antonio,Texas , at W.D.C. 2033-1000. She or her secretary,sent me the wrong instructions for federal employees to file a sue in the lower Court , were William Session used to be the Chief Judge ,the local federal lower Court ,which He is now the Director of F.B.I. Dept. Everytime a case comes to federal Court,the F.B.I. goes out and investigates the case. In this case I have an Equal Employment Complaint in S.A.,TX. . On the second paragraph it states . The purpose of the right to sue letter is to notify you of your rights and

which you may file a case . I automaticly assumed I had 90 days in which to file a sue in the local District Court .

As stated by the Fifth Circuit Court HERNANDEZ V. ALDRIDGE NO.88-5506 page 2157 . There is currently a divergence of authority among the Courts of Appeals on wehter the thirty day limitation period contained in 42 U.S.C.§ 2000e-16(c) is a jurisdictional limitation or wether the limitation is more akin to a statute of limitation and there fore subject to waiver, estoppel, and equitable tolling. Tolling (As a State that charges a tolling to cross its bridge) .

HERNANDEZ V. ALDRIDGE (from now on refer to as HERNANDEZ V. RISE , as we now have a new secretary of the Dept. of the Air Force , [Donald B. RISE] .On page 2156, Johnson, Circuit Judge, stated that : Cognizant of the unequitable result which flows from our action today, we nevertheless are compelled by circuit precedent to affirm the District Court's dismissal of HERNANDEZ claim. See Melin W. Cole V. General Howard W. Penny . 531F.2d -609, Court remand for further proceeding . The Court of Appeals was not force by Circuit precedent to affirm with lower Court .

U.S. District Court Western of Texas San Antonio Division . HERNANDEZ V. ALDRIDGE Civil acton NO:SA-88-CA-0237 Memorandum of pionts and authority in support of motion to dismiss . They stated that petitioner as (defendant) improperly alleged jursidictin under 42 U.S.C.2000e-5 . Did the lower court and the fifth circuit court fail to see, when the lower court dismiss petitioner case and the fifth circuit of appeals affirm with the lower court . When clerk should have given petitioner the proper jursidictonal statute for alleged violations involing employees of the federal agencys is 42 U.S.C. 2000e-16 . Lower court fail to give petitioner the proper jursidictional statute .

See verbatm transcript docket NO: 360-87-0066X agency F860159-0 . E.E.O.C. HEARING Date 21,May, 1987 on page 24 ,petitioner stated . I got 106 credit hours liberal arts and science . See xehibit # 1 college transcripts . Also see Education equal opportunity commission system .

On fifth circuit court HRNANDEZ V. ALDRIDGE page 2157 circuit JUDGE JOHNSON ,STATED "U.S. Magistrate who on Mar. 29, 1988 granted HERNANDEZ"S request to proceed in forma pauperis but later denied HERNANDEZ's motion for appionted counsel .

On July ,25,1988 timestudy case U.S. District court Western District of SAN Antonio Division HERNANDEZ V. ALDRIDGE NO:SA-88-CA-237 . The U.S. Magistrate

Judge Robert B. O'Conner of the lower federal court of U.S. gov't ORDER . On paragraph (12) U.S. Magistrate Judge stated "the proof of plaintiff's claim is not complicated and he should not haven no difficulty propounding the necessary questions to develope the eidence pertaining to his allegaton which was fully developed in an administrivie Judge .

See Brief to U.S. fifth Circuit court of the appeals were petitiner stated I'm a member of the ROSI-CRUCIAN ORDER . See Exhibit # 2 .

On August,10, 1988, U.S. District court Western District of Texas San Antonio Division HERNANDEZ V. ALDRIDGE CIVIL action NO:SA-88-CA-237 . petitioner motion to represent him self in court . See Moore Manual Fed. Practice & Procedure . 13.02(2) Interst of parties (2)-capacity of individual actiing in a representive capacity of an ,In general .the capacity is to be deter mined by law of the state in which the district court is held , as provide in the third sentence of rule 17(b) . Vernon;s Texas rules of civil procedure. Rule 7 May appear by Attorney . Any party to a suit may appear and prosecute or

defend his rights therein , either in person or by an Attorney of the court

HERNANDEZ V. ALDRIDGE NO:88-5603 Fifth states on page 2158 that petitioner has not been neglient nor dilatory in any manner in pursuing his title VII claim in Federal district court .Did fifth circuit err , when it stated that I sue wrong party , when I tried to explain were the fault was of untimely . And it was in the lower court administration hands .

Then U.S. district court Judge EDWARD C. PRADO order that defendant motion to dismiss plaintiff title VII Employment right's granted on August,30, 1988 ,. Then tolling petitioner for their [untimely stategy of debate . Mar. 23, 1988, I received a letter from CHARLES V. WAGNER Clerk og U.S. district court of

Western district San Antonio Division .
U.S. Court of Appeals Fifth Circuit Clerk
M. Tomeny - New Oreans , Luisiana 70130
order that plaintiff pay to defendant the
cost on Appeals , to be Taxed by the Clerk.
Petitioner as moving party ask the Supreme
Court of the United States to request from
U.S. Court of Appeals Fifth Circuit USDC#SA
-88-CA-237 NO:88-5603 HERNANDEZ V. ALDRIDGE
STATEMENTS of FACTS of BRIEF . Submitted by
by Petitioner on OCT. 26 , 1988 .

November, 28 ,1988, defendant submitted
motion to substitute correct Brief to the
U.S. Court of Appeals for Fifth Circuit ,
case NO:88-5603

I chaged name of defendant to new
Secretary of dept. of Defence DANOLD
B. RISE .HERNANDEZ V. RISE .

Petitioner request Supreme Court to have Recommened Decision by EQUAL EMPLOYMENT OPPORTUNITY COMMISSIONER . DOCKET NO: 360-87-0066X agency NO: F. 870159-0 . To be send to U.S. SUPREME COURT , by the U.S. Court Western District of Texas San Antonio Division .

February 18, 1988, I was going to submitted a verbatim transcript to the District Clerk Charles W. Vagner, but she said District Court already had a copy in file . I request the U.S. Supreme Court to have the verbabim transcript send to the U.S. Supreme Court by the District Court -U.S. Court House 655 E. DURANGO BLVD . San Antonio , TX. 78206-1196 . Verbatim transcript (docket NO: 360-87-0066X (agency NO: F860159-0 Hearing Date May, 21, 1987 .

Certiorari to CONGRESS in accordens to Statute 2000e-4(e) . [Report to CONGRESS and the PRESIDENT on EQUAL EMPLOYMENT OPPORTUNITY COMMISSION COMPLAINT .

See Affidavid to District Court . I contact Mexican American Legal defense They said they could't represent American Indians . See Exhibit # 4 of MALDEF .

Petitioner prays as (defendant) that U.S. Supreme Court GRANT WRIT of CERTIORARI, for HEARING .

Respectfully Submitted

Abel H Hernandez

ABEL H. HERNANDEZ

JULY ,6 ,1989 .

RESPECTFULLY SUBMITTED,

Abel H Hernandez

ABEL H. HERNANDEZ

PETITIONER

406 "H" STREET

SAN ANTONIO TEXAS 78220

(512) 3331600

CERTIFICATE OF SERVICE

I ABEL H. HERNANDEZ , DO HEREBY CERTIFY THAT THREE COPIES EACH OF THE FORE GOING PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT WAS MAILED, POSTAGE PREPAID, TO SOLICITOR GENERAL , DEPARTMENT OF JUSTICE , WASHINGTON ,D.C. 20530 AND U.S. ATTORNEY HELEN MILBURN EVERBURERG AND JACK B. MOYNHAN . 727 E. DURANGO BLVD. A-601 . SAN ANTONIO, TEXAS 78206 .

On the 6 day of July ,1989 .

Abel H Hernandez

ABEL H. HERNANDEZ

APPENDIX A

HERNANDEZ V. ALDRIDGE

ABEL H. HERNANDEZ,
PLAINTIFF-APPELLANT,
V.
EDWARD C. ALDRIDGE, III, SECRETARY,
DEPARTMENT OF THE AIR FORCE,
DEFENDANT-APPELLEE.
NO. 88-5603.
SUMMARY CALENDAR.

UNITED STATES COURT OF APPEALS,
FIFTH CIRCUIT.

MARCH 1. 1989.

Air force employee appealed from order of the United statea District Court for the Western District of Texas, Esward C. prado,J., dismissing his Title VII employment discrimination action. The Court of Appeals, Johnson, Circuit Judge, held that 30-day period in which air force employee was required to file Title VII employment discrimination suit in federal district court after receiving notice of Equal Employment Opportunity Commission,s final decision and right-to suit letter was jurisdictional.

AFFIRMED.

HERNANDEZ V. ALDRIDGE

CIVIL RIGHTS

Thirty-day period inwhich air force employee was required to file Title VII employment discrimination suit in federal district court after receiving notice of Equal Employment Opportunity Commission's final decision and right-to-suit letter was jurisdictional, precluding district courtfrom exercising jurisdiction after employee's complaint was filed outside 30-day period even though employee submitted hiscivil complaint alleging to clerk of within 30-day period ,complaint was not actually filed. Civil Rights Act of 1964, 717(c), as amended, 42 U.S.C.A. 2000e-16(c).

Appeal from the United States District Court for the Western District of Texas.

Before CLERK, Chief Judges, JOHNSON, and JOLLY,Circuit Judges.

HERNANDEZ V. ALDRIDGE

JOHNSON, Circuit Judge:

Plaintiff ABEL HERNANDEZ brought the instant suit alleging that he had been discriminated against by the Department of the Air Force after he received a letter of reprimand from the Air Force for falsifying official government documents. Ultimately, the district court dismissed Hernandez's discrimination complaint for lackof jurisdiction. Cognizant of the unequitble result which flows from our action today, we nevertheless are complelled by Circuit precedent to affirm the district court's dismissal of Hernandez's claim.

I.

The facts of the instant case straight forward and undisputed. On October 15, 1985, Hernandez filed an informal complaint of discrimination against the Air Force following his reprimand on October 10,1985, for falsifying official government documents. Thereafter, Hernandez filed a formal complaint of discrimination on October30,1985.

Hernandez subsequently pursued his administrative remedies and,on february 16, 1988, the Equal Employment Opportunity Commission (EEOC) issued a final decision concluding that the Air Force had demonstrated legitmate nondiscriminatory reasons for reprimanding Hernandez. Hernandez than received notice of the final decision of the EEOC and his right-to-sue letter on February 18, 1988.

Thereafter, on March 10, Hernandez submitted his civil complaint allegingdiscrimination to the United States District Court Clerk which the District clerk marked "received" However,though the complaintwas submitted to the Clerk, the Clerk only marked it "received" and the complaint was not actually filed at that time. At the same time Hernandez submitted his complaint to the DistrictClerk's Office Hernandez also filed a motion to proceed in pauperis and a motion for appointment of counsel. The above motions were referred to a United States Magistrate who, on March 29, 1988,granted Hernandez,s request to proceed in forma pauperis but later denied Hernandez's motion for appointed counsel. On the day Hernandez

moton to proceed in forma pauperis was granted, March 29, 1988, the District Clerk filed Hernandez's complaint, forty days after Hernandez receivednotice of the final decision of the EEOC and his right-to- sue letter. Thereafter, in response to the Government's motion to dismiss Hernandez's claim pursuant to fed. R.Civ. P. 12(b)(1), the district court dismissed Hernandez's complaint for lack ofjurisdiction since Hernandez did not timely file his federal complaint within thirty daysof his receipt of the EEOC's final decision and his right-to-sue letter.

II.

Pursuant to 42 U.S.C. 2000e-16(c), a federal government employeeis afforded thirty days from the receipt of notice of theEEOC's final decision to file a Title VII Employment discrimination suit in federal district court. In the instant case, Hernandez received notice of the EEOC's final decision and his right-to-sue letter on February 18, 1988; thefore Hernandez had until approximately March 18, 1988, to file his discrimination suit in federal district court. As previosly

noted, however, Hernandez's civil complaint was not filed in federal district court until March 29,1988,the date the magistate granted Hernandez's motion to proceed in forma pauperis.

Ther is currently a divergence of authority among the courts of appeals on whether the thirty day limitation period contained in 42U.S.C. 2000e16(c) is a jurisdictional limitation or whether the liritation and therefore subject to waiver, estoppel, and equitable tolling. See Martinez V. Orr,738 F.2d 1107,1110 (10th Cir.1984); Milam V. United States Postal Service,674 F.2d 860,862 (11th Cir.1982); Saltz V.Lehman, 672 F.2d 207, 208(D.C.Cir.1982)(concluding that the day limitation period in42 U.S.C. 2000e-16 (c) is subject to equitable tolling). But see Sims V.Heckler, 725 F.2d 1143, 1145-6 (7th Cir.1984); Rice V. Hamilton Air Force Base Commissary, 720 F.2d 1082, 1083 (9th Cir.1983) concluding that the thirty day filing requirement is of jursdictional weight). In Stuckett V. United Postal Service, 469 U.S.898,105S.Ct. 274, 83 L.Ed.2d 210(1984), Justice Whte,joined by Justice Rehnquist, from the Court's

denial of a petition for writ of

May 29, 1988.

certiorari in that case after recognizing the differing pronouncements on this issue among the Circuits. In his dissent, Justice White noted that the Supreme Court had receently resolved the conflict among the Circuits regarding the jurisdictional significance of the ninety day limitation for private sector discrimination case in Zipes V. Trans World Airlines, Inc.,455 U.S. 385 102 S.Ct. 1127,71 L.Ed.2d 234(1982), and concluded that the Supreme Court should similarly address the thirty day limitation applicable to federal employees. Id, 105 S.Ct.at 274-75.

This Circuit in Eastland V. Tennessee Valley Authority 553 F.2d 364,368(5thCir.) ,cert, denied, 434 U.S.985, 98 S.Ct.611, 54 LEd2d 479 (1977), held that the thirty day civil action filing limitaion for federal employees is a jurisdictional requirement; however,the above ruling inEastland was later called in to question by this Court in Antoine V. United States

Postal Service ,781 F2d 433, 439 n. 6 (5thCir.1986). Specifically,the Antoine Court questioned the validty ofthe Eastland rulong due to the fact that the Eastland decision relied heavily on a series of cases holding that the ninety day filing requirement in private sector discrimination cases pursuant to 42 U.S. C. 2000e-16(c) was ajurisdictional requirement. the Antoine Court thennoted that , subsequent to the Eastland decision, this Court, as well as the Supreme Court in Zipes, concluded that the ninety day filing requiremrnt for civil actions in private sector cases was in fact not jurisdictional in nature; thus;, the Court in Antoine called into question the validity of the Eastland rule. Id. Since the Antoine decision, thisCourt has definitive concluded that the thirty day filing requirement contained in section 2000e-16(c)is a jursdictional requirement which is not subject to equitable tolling or equitable estoppel. See Bell V. Veterans Administation Hospital, 826 F.2d 357,36061 (5th Cir. 1987); Brown V. Department of Army, *54 F.2d 77, 78 n. 1 (5thCir. 1988). Therfore, bound by the law of this CirCuit, we are constr-

ained to affirm the district Court's dismissal of Hernandez's complaint for failure to timely file his complaint in federal district court.

In doing so, however, it should be noted that if ever therwas a case which the principles of equity would dictate should be reversed, this is such a case as Hernandez does not appesr tohave been negligent or even dilatory in any manner in pursuing his Title VIIclaim in federal district court. By contrast,in Bell V.Veterans Administration, the plaintiff Bell named and sued the wrong party in his complaint.

Therefore, despite the fact that the district court personnel assured Bell that they would effect service of his complaint, equilty did not compel a result in that case which would effectively hold the DistrictClerk's Office culpable for results that arise when a plaintiff sues the wrong party. Similarly,in Brown V. Department of Army, the plaintiff Brown named the wrong defendants in his federal complaint. In the instant case, however, Hernandez, apro se plaintiff, submitted his civil complaint containing allegation of discrimination to the United States District Clerk On

March 10,1988, well within the thirty dayfiling limitation contained insection 2000e-16(c). Further, it was onthe exact day that Hernandez's motion to proceed in forma pauperis was granted by the magistratethat Hernandez's civil complaint was technically "filed" by the Federal District Court Clerk. Certainly, the District Court Clerk. Certainly, the District Clerk' actions can be construed as "lulling" Hernandez into inaction and laeding Hernandez into believing that he done every thing that he had done everything required to initiate a timely complaint in federal court. See Antoine, 781F.2d at 439.

As noted by the Tenth Circuit in Martinez V. Orr,

Section 2000e-16 was added to Act in 1972 in orderto correct the 'entrenched discrimination in the Federal service' and to insure 'the effective application of uniform, fair and strongly enforced policies.' The legislative history of the amendment indicates that in extending the coverage of Title VII to federal employees, Congress intended togive them essentially the same rights and remedies as had been private sector. In view of the principle that Title VII 'is a

remedial stute to be liberally construed in victims of discrimination,' we concude that the thirty-day time limitation of section 2000e-16(c)is not jurisdictional and may be subject to equitable tolling in appropriate cases.

738 F2d at 1110 (ciations and footnote omitted). Despite these compelling arguments for concluding that the thirty day filing requirement in seetion 2000e-16 (c) is not a jurisdiotional prequisite, we are compelled by Circuit precedent to affirm the district court in the instant case. Perhaps,however,the time has come for this Court to consider anew its decision in this area so as to avoid inequitable results such as the one suffered by Hernandez in the instant case.

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

NO. 88-5603
SUMMARY CALENDAR

D. C. DOCKET NO. SA-88-CV-237
TIME CASE STUDY--RECORD TIME SPEND BY JUDGE OR MAGISTRATE---U.S. COURT---FILED MARCH 1 1989---GIBERT F. GANUCHEAU CLERK

ABEL H. HERNANDEZ PLAINTIFF-APPELLANT,
VERSUS
EDWARD C. ALDRIDGE, III
SECRETARY, DEPARTMENT OF DEFENDANT-APPELLEE
THE AIR FORCE,

FILED MARCH 28,1989
CHARLES W. VAGNER, CLERK
BY J.J. DEPUTY

Appeal from theUnited States District Court for the western District of Taxes

Before CLERK, Chief Judge,JOHNSON, and JOLLY, Circuit Judges.

JUDGMENT

This cause came on to be heard on the record on appeal and was takem under submission on the brief on file.

ON CONSIDERATION WHEREOF, It is now here orderd and adjudged by this Court that the judgment of District Court in this cause is affirmed.

IT IS FURTHER ORDERD That plaintiff-appellant pay to defendant-appellee the costs on appeal, to be taxed by the Clerk of this Court.

March 1, 1989

ISSUED AS MANDATE: MAR 23 1989

A true copy
Test GIBERT F. GANUCHEAU
Clerk, U.S. Court of Appeals,
Fifth Circuit
By M. TOMENY
DEPUTY
NEW ORLEANS, LOUISANA
MAR. 23,1989

OP-JDT-9C
Rev. 4/85

TIME STUDY CASE---RECORD TIME SPENT BY JUDGE OR MAGISTRATE

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

ABEL H. HERNANDEZ,
PLAINTIFF,

V. CIVIL ACTION NO. SA-88-CA-237

EDWARD C. ALDRIDGE, JR.,
Secretary of the Air Force,
Defendant.

JUDGMENT

On this date came on to be considered the Judgment to be entered in the above styled and numbered cause.

Consistent with the Order of the Court entered in this cause on this same date,

It is hereby ORDERED, ADJUDGED and DECREED that Defendant;s Motion to Dismiss Pursuant to Rule 12,F.R. Civ. P. GRANTED such that plaintiff;s Complaint and in this cause of action against Defendant are DISMISSED pursuant to Fed. R. Civ. 12 (b) (1).

Sign and ENTERED this 30 th/ day of AUGUST, 1988.

EDWARD C. PRADO
UNITED STATES DISTRICT JUDGE

UNIVERSIDAD NACIONAL AUTONOMA DE MEXICO

Centro de Ensenanza para Extranjeros

Constancia Estudios realisados por-

ABEL HERNANDEZ HERRERA .

DURANTE 1978-1984 EN LA

ESCUELA PERMANENTE DE EXTENSION EN

SAN ANTONIO , TEXAS .

CURSO-NUM.	MATERIAS	CALIFICACIONES	CREDITOS
203ESP	CONVERSACION II,1978,	B	3
303ESP	CONVERSACION II,1979,	B	3
210ESP	ESPANOL II ,1983,	B+	4
ESP	ESPANOL III, 1983,	B	4
307ESP	ESPANOL PARA BILGUES ,1984,	B	4

CENTO DE ENSENANZA PARA EXTRANJEROS

SERVICIOS ESCUELARES .

EXHIBIT # 1 (2)

ALAMO COMMUNITY COLLEGE DISTRICT

ST. PHILIPS COLLEGE

SAN ANTONIO ,TEXAS

ACADEMIC RECORD

NO:	TITLE OF COURE	SEM. HRS.	GR. PTS		
	SPING SEMESTER 1975 .				
300	English	3	3	C	6
101	ORIENTATION	1	1	C	2
300	DLEVL READING	3	3	B	9
	FIRST SEMESTER 1975				
302	PRINC OF ECONOM	3	7.5	C	6
306	BASIC MATH	3	7.5	C	6
	FIRST SUMMER SESSION 1984 .				
300	BASIC TYPE WRIT	3	6	C	6
200	BASIC VIOSE	2	2.5	A	8
	FALL SEMETER 1984				
1312	APPIED PSYCH	3	3	C	6
1403	HUM ANAT.&PHY.	4	3	D	4

ABEL H HERNANDEZ 406 "H" ST.S.A.TX.78220

EXHIBIT # 1 (3)

PERMENENT RECORD CARD .NORTH TEXAS UNIVERSITY, DENTON,TEXAS DEGREES:- CERTIFICATES .

NO:	TITLE OF COURE	SEM HRS	GR	PTS
07-12-1975-to 08-16-1975.				
204	Americ Gov's	3	F	
110	Bus Speaking	3 3	C	6
	Acadamic Probation			
CREDITS FOR SERV TRN		12 10		
08-27-1975 To 12-20-1975				
132	COMP & RHET	3 3	C	3
ANER	GOV't	3	F	3
101	ELEM SPANISH	4	F	4
304	PERSUATION	3 3	B	9

ACADEMIC SUPENSION SPRING 1975

ABEL H.HERNANDEZ 406 "H" ST.S.A.TX. 78220 .

COOKE COUNTY COLLEGE

GAINEVILLE, TEXAS SPRING 1976.

NO:	TITLE OF COURE	SEM HRS	GR	PTS
2023	ORAL COMMUNI	3	C	6
1133	PERSNL/GRTH	3	B	9
1023	DEV READING	3	A	12
1023	GRAM COMP	3	C	6

ABEL H. HERNANDEZ 406 "H"ST.S.A.TX.

78220 .

EXHIBIT # 1 (5)

BEE COUNTY COLLEGE

NO:	TILTE OF COURSE	SEM HRS	GR	PTS
301	US HIST BEFOR 1965	3	W	C
164	WEIGHT TRAINING	3	C	1
351	AMER GOV'T	3	C	3
302	READING STUDY SKILLS	3	C	3
353	AMERI MINORITIES	3	D	3
402	SPANISH	3	C	4
	SCHOLASTIC PROBATION			
172	WRESTING	3	B	1
	SPING SEMESTER 1977 .			
402	GENERAL BIOLOGY	3	D	4
302	US HIST AFTER 1865		3	3
351	STATE GOV'T & FED.	3	C	3
351	ADV SPANISH	3	C	3

ABEL H. HERNANDEZ 406 "H":ST. S.A.TX. 78220 .

ALAMO COMMUNITY COLLEGE DISTRICT

SAN ANTONIO,TEXAS ACADEMIC RECORD

SPRING SEMESTER 1978

NO:	TITLE OF COURSE	SEM HRS	GR	PTS
315	History og U.S.	3 3	D	3
308	Argument & Debat	3 3	D	3
600A	Algebra	0 3	F	0
612B	Spanish II	3 3	C	6

ENFORCE SCHOLASTIC WITHDRAWAL

MUST PETITION TO RE-ENTER

PETITIONED ADMISSIONS COMMITTY-1/79

SPRING SEMESTER 1979

600	INTRO ALGEBRA	3 3	D	3

CONTINUED SCHOLASTIC PROBATION

SPRING SUMMER 1979

602A	TOPICS CONTEMP	0 7.5	WF	0
601A	ENGLISH COMPOS	0 7.5	IP	0
601A	ENGLISH COMPOS	3 3	D	3

ABEL H. HERNANDEZ 406 "H" ST. S.A. TX. 78220 .

I AM A MEMBER OF THE ROSICRUCIAN

(1)

ORDER . EXHIBT # 2 .

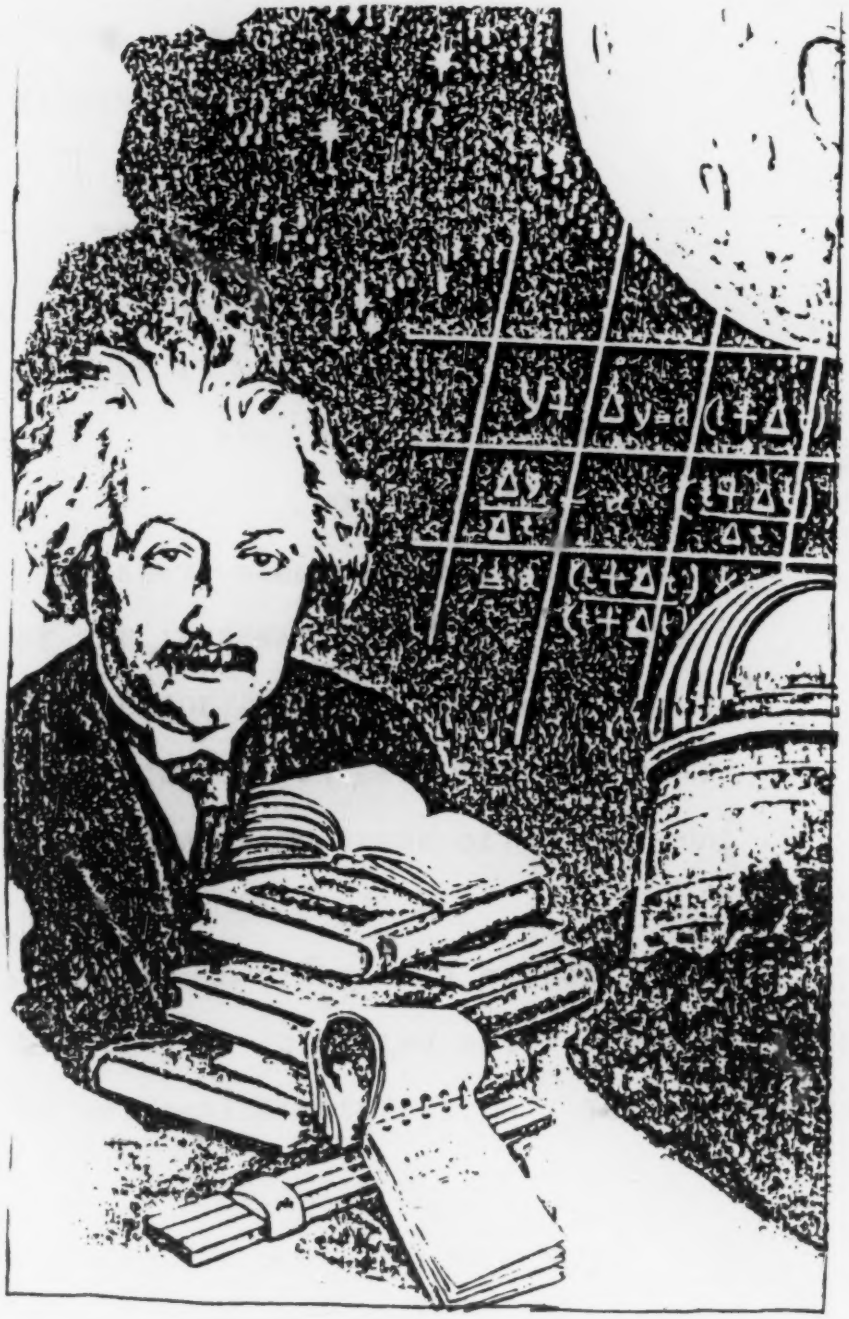


EXHIBIT # 3

INTERNATIONAL DETECTIVE TRAINING SCHOOL : P.O. BOX 4352 WASHINGTON D. C. 20012

SEPTEMBER 23 ,1981 .

TO WHOM IT MAY CONCERN :

RE: ABEL H. HERNANDEZ

NO: 4036

The above name person is a graduate of THE INTERNATIONAL DETECTIVE TRAINING SCHOOL , having completed our Home STUDY COURSE IN DETECTIVE TRAINING with an average grade of 86 per cent .

While enrolled as a student in our SCHOOL , he fulfilled all responsibilities to our entire satifaction . The student was

conscintious , painstaking and punctual in the work prescribed .

I found him industrious , careful in fellowing instructions ,and eager both to please our instructors and to learn the maximum from the subject matter furnished .

From my experience in working with the subject , I feel he will prove a every satisfactory employee in any position for which his education and experience might qualify him and I , personally , will appreciate any consideration shown to him .

100-INFLUENTIALS THEY ARE THE ELITE OF THE NATIONAL HISPANIC COMMUNITY. BUT WHAT DO THEY BELIEVE ? AND WHAT DO THEY WANT ?

ORGANIZATIONS . There are many Hispanic organizations , but which ones best represent the national Hispanic community ? According to the influentials , the MEXICAN LEGAL DEFENSE FUND (MALDEF) , WHICH first opened its doors in 1968 ,is munber one . Close on MALDEF'S heels is the LEAGUE of UNITED LATIN AMERICAN CITIZEN (LULAC) , which dates back to 1929 . Third place went to the WASHINGTON , D.C. based National Council of LA RAZA ,a social issues advancement group . Fourth plase belongs to the UNITED STATES , which was begug at the close of world war II. It is fellowed by fifth ranked

UNITED STATES HISPANICS CHAMBER of COMMERCE (USHCC) , sixth ranked LATIN BUSINESS ASSOCIATION (LBA) , seventh ranked Hispanic Asociation on Corporate responsibilities (HACEER) , eight ranked Camara de comercio Latina de Los Estados Unidos (CAMACOL), and ninth rank Latin American Manufacturers Asociation (LAMA) .